

PROCLAMATION

BY THE

Governor of the State of Texas

41-2286

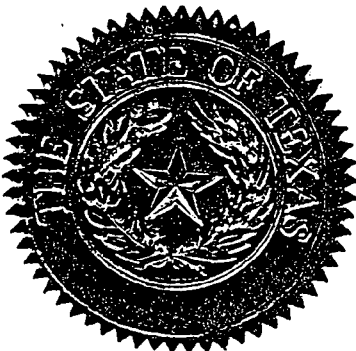
TO ALL TO WHOM THESE PRESENTS SHALL COME,

Pursuant to Article IV, Section 14 of the Texas Constitution, I, William P. Clements, Jr., Governor of Texas, do hereby veto S.B. 931 because of the following objections:

This bill would make the state the payor of first resort if the state is liable for indemnification on a medical malpractice claim arising out of the provision of charitable care or services without regard to whether damages are recoverable under a contract of insurance or under a plan of self-insurance. Currently, the state is only liable, within statutorily defined dollar limits, to the extent that insurance or self-insurance does not cover the full amount of a damage award. The bill would also prohibit the comptroller from offsetting, against funds over which the comptroller has authority, amounts of indemnification paid by the state as result of medical malpractice claims. This would shift the cost of the malpractice claims to state general revenue. While this bill addresses significant concerns, there is insufficient justification for changing current law.

The Secretary of State shall take notice of this action and notify the Legislature.

IN TESTIMONY WHEREOF, I have hereunto signed my name officially and caused the seal of the State to be affixed hereto at Austin, this 18 day of June, 1989.



W. P. Clements, Jr.
William P. Clements, Jr.
Governor of Texas

Jack M. Rains
Jack M. Rains
Secretary of State

Filed in the Office of
Secretary of State

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Statutory Filings Division
Statutory Documents